

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

CRAIG FULLER

PLAINTIFF

v.

Civil No. 07-5050

NURSE ANDREA GARRETT;
DR. HUSKINS; and
SGT. SHARP

DEFENDANTS

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 20, 2007. He proceeds pro se and *in forma pauperis*.

On July 27, 2007, defendants filed a motion to compel answers to discovery requests (Doc. 15). The motion to compel was granted by order entered on July 20, 2007 (Doc. 17). Plaintiff was directed to provide defendants with the required responses to the discovery requests by 5:00 p.m. on August 10, 2007.

On August 22, 2007, defendants filed a motion to dismiss (Doc. 20). In the motion to dismiss, defendants indicate they have not received the discovery responses from the plaintiff. I therefore recommend that the defendants' motion to dismiss be granted and this case be dismissed based on the plaintiff's failure to obey the order of this court and his failure to prosecute this action. Fed. R. Civ. P. 41(b).

The parties have ten days from receipt of the report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The parties are reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 5th day of September 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE